

# APPROVED MINUTES

## Valley Center Community Planning Group

**Minutes for the Additional Regular Meeting of September 12, 2009**

**Chairman: Oliver Smith Vice Chairman: Ann Quinley Secretary: Christine Lewis**

9:00 am at the Valley Center Community Hall; 28246 Lilac Road, Valley Center CA 92082

A=Absent Ab=Abstain A/I=Agenda Item BOS=Board of Supervisors DPLU=Department of Planning and Land Use IAW=In Accordance  
With N=Nay P=Present SC=Subcommittee TBD=To Be Determined VCCPG=Valley Center Community Planning Group Y=Yea

Forwarded to Members for **Review**: September 21, 2009

**Approved: October 20, 2009**

1.		Call to Order, Quorum and Pledge of Allegiance:									9:08 AM			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
A N D E R S O N	V A C A N T N	H O F L E R	V I C K	B R I T S C H	R O B E R T S O N	Q U I N L E Y	M O N T R O S S	L E W I S	H E R I G S T A D	S M I T H	W E A V E R	R U D O L F	V A C A N T	B A C H M A N
P	V	P	P	P	A	P	P	P	P	P	P	P	V	A

**Appendices to these Minutes: none**

**Total Number of Pages Comprising this Report: 4 (four)**

**Pledge of Allegiance – Dave Anderson**

**Quorum Established: 11** **Yes ( X ) No ( )**

**2. Approval of Minutes:**

**None**

**3. Open Forum:**

**None**

**4. Discussion Items (No VCCPG advisory is to be taken on the following items)**

**Training Session for VCCPG members by DPLU Manager Brian Baca.**

**Topics include:**

- 1. DPLU expectations for VCCPG project review input**
- 2. Specific DPLU expectations for MUP, PM, TM, PAA, ZIP projects**
- 3. Brown Act Q&A**
- 4. Response to specific VCCPG member questions.**

**Brian Baca -**

The VCCPG noticed Regular Meeting Agenda's are much improved and in fact, could be offered as a sample for other Planning Group's county-wide. He has been criticized for his remarks and criticism of our Agenda during the July VCCPG meeting when it was reported in local press that we were "spanked". That was not his intent and he apologizes for causing the PG members and its Chair embarrassment.

Functions:

The purpose of Planning Groups and why they exist is to:

1. advise the County on local land use issues since the County covers a very large geographical area.
2. Supply guidance on General Plan Updates and formulate Community Plan
3. Serve secondarily as a venue for an "open forum" to the public on land issues

No applicant for permitting is ever compelled to appear before the Planning Group nor is any applicant bound by our recommendations.

However, the Planning Commission votes in conformance with the local PG recommendations 75% of the time.

The Board of Supervisors can approve or reject any project as they see fit, but they are still bound by health and safety provisions.

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DPLU 's recommendations and responses are based strictly on laws and any project's compliance to those laws. It does not support or oppose any project except on specific points of compliance. Any project must comply with the General Plan and also the Community Plan. As a local extension of the GP our Community Plan is a legal document. Because of the number of laws and changes over the years there are inconsistencies in the County law vs. State law and constant revision is required.

### Paper Flow

In the DPLU's first scoping letter on a project, it is essential to identify the key issues that must be resolved for its approval.

Within the last year, DPLU has devised and implemented a Project Issue Checklist (spreadsheet) to make sure all issues are addressed, particularly those that deal with public health and safety.

A Plan Amendment Authorization (PAA) is not an approval to change the GP. The director of the DPLU (Eric Gibson) will not approve any PAA that is not consistent with the GP Update. Any Amendment to the General Plan can only be initiated by the director and he allows a GPA to be processed.

Once a PAA is approved, the process of analyzing, submitting data and permitting a project begins.

At this point the local Planning Group is in a position to comment. Baca would recommend not making a decision on a project until most of the permitting is complete because it is very hard to go back on a project and change your group's decision.

### Permitting

Hand-out to the group included a description of Section 7358 and the basic findings required for a "use" permit and section 7359 , findings required for a particular use permit.

In both sections ( refer to "Find California Law" for a google search of public codes) the following criteria apply.

"Before any use permit except those filed pursuant to Regional Land Use Policy 3.8 may be granted or modified, it shall be found:

- a) That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
  1. Harmony in scale, bulk, coverage and density
  2. The availability of adequate public facilities, services and utilities
  3. The harmful effect, if any, upon desirable neighborhood character
  4. The generation of traffic and the capacity and physical character of surrounding streets
  5. The suitability of the site for the type and intensity of use or development which is proposed
  6. Any other relevant impact on the proposed use (eg. Light pollution)
- b) That the impacts, as described in paragraph a) of this section, and the location of the proposed use will be consistent with the San Diego County General Plan
- c) That the requirements of the California Environmental Quality Act have been complied with(CEQA is done only after a project is approved and CEQA "lawsuits occur when information is withheld and a project can be rejected based on CEQA issues)

### Section 66474 Grounds for denial of a tentative or parcel MAP

A legislative body of a city, county shall deny approval of a tentative Map (TM) or a parcel Map (PM) for which a tentative maps is not required, if it makes any of the following findings:

- a) That the proposed map is not consistent with the applicable General Plan and Specific Plans as specified in Section 65451 (governing code)

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	<p>b) That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.</p> <p>c) That the site is not physically suitable for the type of development (eg doesn't perk)</p> <p>d) That the site is not physically suitable for the proposed density of development</p> <p>e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. (refer also to MSCP for north county &amp; endangered species)</p> <p>f) That the design of the subdivision or type of improvements is likely to cause serious public health problems</p> <p>g) That the design of the subdivision or type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to one previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court or competent body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.</p>	
	<u>Brown Act</u> – No questions were asked	
<b>5.</b>	<b>Action Items (VCCPG) advisory vote may be taken on the following items)</b>	
	<b>No action items presented</b>	
<b>6.</b>	<b>Subcommittee Updates (Informational Reports by subcommittee representatives)</b>	
	Not Applicable	
<b>7.</b>	<b>Correspondence:</b>	
	<b>Not applicable</b>	
<b>8.</b>	<b>Requests for Items on Upcoming Agendas:</b>	
<b>9.</b>	<b>Motion to Adjourn:</b>	
	<b>Moved/Seconded</b> Smith/Lewis	<b>12:01 pm</b>  VOICE VOTE: Y – N – Ab 12 – 0 – 0 <b>Motion Carries</b>

Respectfully Submitted,  
Christine Lewis, Secretary

Draft Minutes – September 21, 2009  
Revised Minutes – October 13, 2009  
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